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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,668	12/02/2003	Ciaran J. Brennan	END920030076US1	5075

23122 7590 08/03/2006
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EXAMINER

TRIMMINGS, JOHN P

ART UNIT	PAPER NUMBER
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2138

DATE MAILED: 08/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/725,668

Applicant(s)

BRENNAN ET AL.

Examiner

John P. Trimmings

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 18-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is in response to the applicant's amendment dated 7/3/2006.

The applicant has amended claims 1, 2, 4, 6, 7, 8-12, 15 and 18.

The applicant has added claims 21-24 as new claims.

Claims 1-16 and 18-24 are pending.

Response to Amendment

1. In view of the applicant's amendment to claim 11, the examiner withdraws the rejection under 35 USC 112 first paragraph.
2. In view of claim 17 being cancelled, the examiner withdraws the rejection of said claim.
3. In regard to claims 1-16 and 18-20, the applicant's arguments filed 7/3/2006 have been fully considered but they are not persuasive. The applicant has argued, in the Remarks, that the independent claim limitations that were submitted in the newly amended claims place the application in condition for allowance. The examiner disagrees.

Purported by the applicant is that neither of Giles and Templeton disclose or suggest providing a stress level that is within (claim 15), or exceeds (claim 15), or is

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less than (claim 15), or is outside (claim 1,7,12) of a predetermined range. The examiner responds herein that the new limitations have no basis in the claims because the new limitations are not supported in the Disclosure, but are met by the present references of Giles and Templeton as was presented in the examiner's previous office action. In view of the originally disclosed material in the application, the examiner maintains the rejections of claims 1, 7 and 12 being anticipated by Giles, and claim 15 anticipated by Templeton as follows:

As per claims 1, 7 and 12:

Where the new limitation of the amendment states providing a stress level outside a range, Giles further anticipates this requirement in column 2 lines 1-40 where testing starts with stress outside (higher) a limit, repair is accomplished, then testing is again done inside the limit. Therefore the reference is maintained as anticipating the claims.

As per claim 15:

Where the new limitation of the amendment states providing a stress level above, in, and below a range, Templeton further anticipates this requirement in column 9 lines 16-52 where testing starts with each stress being programmed (see FIG. 5 502) into the memory timing controller of FIG. 4. Therefore the reference is maintained as anticipating the claim.

In view of the above, the examiner maintains the rejections of claims 1-16 and 18-20 as outlined in the prior office action.

Claim Rejections - 35 USC § 112 (New)

4. Claims 1, 2, 4, 6, 7, 12, 15 and 22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. The claims were amended to include providing a stress level that is within (claim 4,15), or exceeds (claim 2,15), or is less than (claim 6,15), or is outside (claim 1,7,12,22) of a predetermined range. The examiner has failed to find any reference to a “predetermined range” of values, and also has failed to find any reference to the *stress values* being outside the predetermined range. The only references made in the original disclosure were to an operational value, which is interpreted by the examiner to be a specific value, and therefore not a *range* of values. In the *original disclosure*, the applicant has disclosed that the stress may only “exceed” (claim 2), be “shorter” (claim 6) or be “faster” (claim 10) than an operational value. Therefore, the examiner rejects the said claims as not supported as originally presented.

Claim Rejections - 35 USC § 102 (New)

5. Claims 21-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Giles.
As per claim 21:

Giles further teaches the method of claim 1, wherein the DUT is rejected when at least one failed memory cell is detected (FIG. 5 84).

As per claim 22:

Giles further teaches the method of claim 1, wherein the step of applying the first test stress further comprises the step of operating the memory cells with a first timing that is outside of a predetermined timing range (column 2 lines 1-40) and the step of applying the second test stress further comprises the step of operating the memory cells with a second timing that is different from the first timing (column 3 lines 58-67, column 4 lines 1-7).

As per claim 23:

Giles further teaches the method of claim 7, further comprising the step of: rejecting the embedded memory when at least one failed memory cell is identified from the second set of timings (FIG. 5 84).

As per claim 24:

Giles further teaches the method of claim 13, step (f) further comprising: rejecting the embedded memory when one or more further failed memory cells are identified from the applied at least one of the second plurality of timings (FIG. 5 84).

Conclusion

Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John P. Trimmings whose telephone number is (571) 272-3830. The examiner can normally be reached on Monday through Thursday, 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



John P Trimmings
Examiner
Art Unit 2138

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